



Entered on Docket
October 02, 2007

A handwritten signature in black ink, appearing to read "Linda Riegle".

Hon. Linda B. Riegle
United States Bankruptcy Judge

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UNITED STATES BANKRUPTCY COURT DISTRICT OF NEVADA

In re:

USA COMMERCIAL MORTGAGE COMPANY,
USA CAPITAL REALTY ADVISORS, LLC,
USA CAPITAL DIVERSIFIED TRUST DEED FUND,
LLC,
USA CAPITAL FIRST TRUST DEED FUND, LLC,
USA SECURITIES, LLC,

Debtors.

Affects:

- All Debtors
- USA Commercial Mortgage Company
- USA Capital Realty Advisors, LLC
- USA Capital Diversified Trust Deed Fund, LLC
- USA Capital First Trust Deed Fund, LLC
- USA Securities, LLC

Case No. BK-S-06-10725-LBR
Case No. BK-S-06-10726-LBR
Case No. BK-S-06-10727-LBR
Case No. BK-S-06-10728-LBR
Case No. BK-S-06-10729-LBR

CHAPTER 11

Jointly Administered Under Case No. BK-S-06-10725 LBR

**Order Sustaining Objection of USACM Trust
To Andrew and Beth Mitchell Claims Filed in
Wrong Debtor's Case; Objection of FTDF to
Proposed Allowance of Claim**

Hearing Date: September 28
Hearing Time: 1:30 p.m.

1 The Court having considered the Objection of USACM Trust To Andrew and Beth
2 Mitchell Claims Filed in Wrong Debtor's Case; Objection of FTDF to Proposed Allowance of
3 Claim (the "Objection") [Docket No. 4432]; appearances having been noted on the record;
4 adequate notice of the Objection having been given; there having been no response filed to the
5 Objection; and for good cause appearing:

6
7 IT IS HEREBY ORDERED that the Objection is sustained, and that Claim Nos. 10725-
8 01120, 10725-01121, and 10725-01144 are disallowed against the estates and in the cases of
9 USACM and FTDF.

10 IT IS FURTHER ORDERED that this Order shall not affect any other claims filed by the
11 Mitchells (as defined in the Objection) in these jointly-administered bankruptcy proceedings.
12

13 IT IS FURTHER ORDERED that this Order shall not affect either the amount or validity
14 of the Mitchells' equity interests in FTDF as reflected in both FTDF's books and records and in
15 the proofs of interest filed by the Mitchells in FTDF, which interests are in the respective amounts
16 of \$59,733, \$17,916 and \$17,916.

17 SUBMITTED BY:

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19

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26 APPROVED BY:

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7 *Approved*
REVIEWED.

8 *BW* *AMST*
9
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